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Attorneys for Defendant Frontier Airlines, Inc.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

EDDIE FRIERSON, ET AL.,

Plaintiffs,

v.

FRONTIER AIRLINES, INC., ET AL.,

Defendants.

Case No.: 2:24-cv-02181-RFB-MDC

**JOINT PROPOSED DISCOVERY
PLAN AND SCHEDULING
ORDER**

[SPECIAL SCHEDULING
REVIEW REQUESTED]

Plaintiffs Eddie Frierson, Alberto Cardoso-Ramirez, Ana Figueroa-Cueva, Deanna Daniels, Janelle Johnson, Joseph Johnson, Jayden Eggleston, Melisa Gutierrez-Tolosa, Michael Martinez, Stacy Martinez, Sadie Joseif, Kevin Joseif, Travis Scarbrough, Mariela Estrada, Kwantida Payakka, Joel Martinez Guerra, Rocio Medina Solarte, Toni O'Neill and Arturo Castanares (collectively "Plaintiffs"), through their undersigned counsel, and Defendant, Frontier

1 Airlines, Inc. (“Frontier”), through its undersigned counsel, hereby submit this Joint Proposed
2 Discovery Plan and Scheduling Order.

3 **Fed. R. Civ. P. 26(f) Conference**

4 The parties held the Rule 26(f) conference on December 18, 2024, January 17, 2025, and
5 January 22, 2025, to discuss the joint status report, which was filed on December 24, 2024, and
6 the preparation and submission of a proposed joint scheduling order and discovery plan. Based
7 on the foregoing, the parties submit the following discovery plan in compliance with LR 26-1.
8

9 **Proposed Discovery Plan**

10 **A. Discovery Cut-off.**

11 Frontier first appeared in this matter on November 21, 2024. The parties propose the
12 deadline to complete discovery be set for **August 14, 2026**. The parties note that this proposed
13 discovery period exceeds the 180-day period contemplated by LR 26-1. Pursuant to LR 26-1(a),
14 the parties provide the following statement in support of their request for a longer discovery period.
15

16 Currently, there are twenty-six (26) plaintiffs named in the Complaint. It is anticipated that
17 at least eight more individuals will seek to be added as plaintiffs in this case. Further, it is the
18 parties’ understanding that the NTSB has not yet completed its investigation of the subject
19 incident. Additionally, before any manual material can be produced by Frontier in this matter, the
20 Transportation Security Administration (TSA) is required to complete a sensitive security
21 information (SSI) determination, which is typically an extended process. Further, it is anticipated
22 that the depositions of the parties, medical providers, percipient witnesses and experts will take an
23 extended period of time. Accordingly, the parties anticipate a discovery period of 18 to 24 months
24 due to the number of parties, the involvement of federal government agencies, anticipated medical
25 discovery, and expert discovery regarding liability and damages.
26
27
28

1 **B. Amending the Pleadings and Adding Parties.**

2 The last date for filing motions to amend the pleadings or to add parties shall be no later
3 than 90 days prior to the close of discovery. In this action the last date for filing motions to amend
4 the pleadings or add parties shall be **March 15, 2026**.

5 **C. Fed. R. Civ. P. 26(a)(2) Disclosures (Experts).**

6 The last date for disclosure of expert witnesses shall be 60 days before discovery cut-off
7 date. In this action, the last date for disclosure of experts shall be **June 19, 2026**. The last day for
8 disclosure of rebuttal expert witnesses shall be made 30 days after the initial disclosures of
9 experts, or by **July 20, 2026**.

10 **D. Dispositive Motions.**

11 The last date for filing dispositive motions shall be no later than 30 days after the
12 discovery cut-off date. In this action, the last date for filing dispositive motions will be
13 **September 15, 2026**.

14 **E. Pretrial Order.**

15 The Joint Pretrial Order shall be filed no later than 30 days after the date set for filing
16 dispositive motions. In this action, the Joint Pretrial Order shall be filed on or before **October 15,**
17 **2026**. In the event dispositive motions are filed, the date for filing the Joint Pretrial Order shall be
18 suspended until 30 days after the decision of the dispositive motions or further order of the Court.
19

20 **F. Fed. R. Civ. P. 26(a)(3) Disclosures.**

21 The disclosures required by Fed. R. Civ. P. 26(a)(3) and any objections thereto shall be
22 included in the Pretrial Order.
23

24 **G. Alternative Dispute Resolution.**

25 The parties certify that they have considered the use of alternative dispute resolution
26 procedures and will further evaluate the potential for ADR as the case moves forward.
27
28

H. Alternative Forms of Case Disposition.

The parties certify that they have considered consent to trial by a Magistrate Judge but at this time do not consent.

I. Electronic Evidence.

The parties certify that they have discussed whether they intend to present evidence in an electronic format. The parties did not enter any stipulations regarding the use of evidence in an electronic format.

J. Extensions or Modifications of the Discovery Plan and Scheduling Order.

Applications to extend any date set by the discovery plan/scheduling order shall be received by the Court on or before twenty-one (21) days before the expiration of the subject deadline and must fully comply with Local Rule 26-3 by including the following:

- A statement specifying the discovery completed by the parties as of the date of the motion or stipulation;
- A specific description of the discovery, which remains to be completed;
- The reasons why remaining discovery was not completed within the time limits of the existing discovery deadline; and
- A proposed schedule for the completion of all remaining discovery.

Prior to moving for an extension of any date contained within this order, the parties agree to conduct a good faith meet and confer regarding the request.

DATED this 27th day of January 2025.

DATED this 27th day of January 2025.

/s/ Scott R. Cook

SCOTT R. COOK, ESQ.

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ORDER

IT IS SO ORDERED:

DATED this _____ day of _____ 2025.

UNITED STATES MAGISTRATE JUDGE

Dated: January 27, 2025

Respectfully Submitted,

/s/ Brian T. Maye

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